

02-25-02

A

Please type a plus sign (+) inside this box ☐

Attorney Docket P1007R1C1

PATENT

EV 016 026 884 US Express Mail Number

February 21, 2002 Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Assistant Commissioner of Patents, Washington, D.C. 20231."

February 21, 2002

*Diane L. Marschang*  
Diane L. Marschang

J1050 U.S. PTO  
10/08/2002  
02/21/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Avi J. Ashkenazi**Title: **APO-2LI AND APO-3 POLYPEPTIDES****1. Type of Application**

- [ ] This application is for an original, non-provisional application.
- [ ] This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- [x] This is a [ ] continuation-in-part [x] continuation [ ] divisional application claiming priority to application Serial Number 08/829,270, filed March 31, 1997, the entire disclosure of which is hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)**

93 pages of specification  
5 pages of claims  
1 pages of abstract  
13 sheet(s) of drawings  
[x] formal [ ] informal

**3. Declaration or Oath**

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)  
An executed declaration of the inventor(s) [ ] is enclosed [ ] will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

#105006

☒ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

#### 4. Assignment

(for new and CIP applications)

☐ An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)

☒ The prior application is assigned of record to Genentech, Inc.

#### 5. Amendments (for continuation and divisional applications)

☒ Cancel in this application original claims 1-25 and 27-45 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

#### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$740.00
Total Claims	16	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$84.00	\$0.00
Multiple dependent claim(s), if any				+ \$280.00	\$0.00
Filing Fee Calculation					\$740.00

#### 7. Method of Payment of Fees

☒ The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$740.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**X

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

**9. Additional Papers Enclosed**

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations  
☒ Submission of "Sequence Listing" (paper copy), and Request to Use Computer Readable Sequence and Certificate re Sequence Listing.  
☐ A new Power of Attorney or authorization of agent.  
☐ Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- \_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until  
  X   A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**X

Address all future communications to:

Attn: Diane L. Marschang

Respectfully submitted,  
GENENTECH, INC.

Date: February 21, 2002

By:

Diane L. Marschang  
Diane L. Marschang  
Reg. No. 35,600  
Telephone No. (650) 225-5416



09157

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Avi J. Ashkenazi</p>	<p>Group Art Unit: not yet assigned Examiner: not yet assigned</p>
<p>Serial No.: not yet assigned  Filed: February 21, 2002  For: APO-2LI AND APO-3 POLYPEPTIDES</p>	<p><b>CERTIFICATE OF EXPRESS MAILING</b> <b>Express Mail Number: EV 016026884 US</b> I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated below and is addressed to Assistant Commissioner of Patents, Washington, D.C. 20231. February 21, 2002 <i>Diane L. Marschang</i> Diane L. Marschang</p>

REQUEST TO USE COMPUTER-READABLE SEQUENCE LISTING  
AND  
CERTIFICATE RE SEQUENCE LISTING

Box Patent Application  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicant respectfully requests that the compliant computer-readable Sequence Listing filed in prior application Serial No. 08/829,270 (to which priority is claimed under Section 120) be used as the computer-readable Sequence Listing for the present, above-identified application.

I hereby state that the paper copy of the Sequence Listing filed in the present application is identical to the computer-readable copy of the Sequence Listing filed in application Serial No. 08/829,270.

Respectfully submitted,  
GENENTECH, INC.

Date: February 21, 2002

By: *Diane L. Marschang*  
Diane L. Marschang  
Reg. No. 35,600  
Telephone No. (650) 225-5416



09157

PATENT TRADEMARK OFFICE